

**DETAILED ACTION**

Receipt is acknowledged of the RCE received on 9-4-08.

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Rafter on 12-9-08.

The application has been amended as follows:

Cancel claims 52-54.

Re claims 55, 56: Replace "claim 52" in line 1, with -- claim 57 --.

Replace claim 57 with the following:

-- A host notification method for use in an electronic checkout system that includes an optical code reader and electronic article surveillance (EAS) system, the checkout system coupled to an electronic point-of-sale (POS) terminal, the method comprising the following steps:

operating in an automatic activation mode whereby the EAS system is automatically activated in response to a signal from the optical code reader of good read of a product optical code to deactivate an EAS tag of the product;

operating in a manual activation mode whereby the EAS system is manually activated by action of an operator to deactivate an EAS tag;

detecting, by the checkout system, a manual deactivation attempt of the EAS system;

electronically determining whether the manual deactivation attempt was successful;

in response to determining a successful manual deactivation attempt, transmitting notification thereof by mimicking a reading operation of a read product optical code by transmitting a predetermined special optical code data to the POS terminal or host system using a pre-existing interface of the POS terminal or host system that is operative to handle product optical code data;

storing, by the POS terminal or host system, the predetermined special optical code data, wherein the predetermined special optical code data does not identify a product, is of a same format as product optical code data, and is able to be processed via the pre-existing interface.--

Replace claim 67 with the following:

-- A host communication method for use in an electronic checkout system that includes a data reader to acquire product identification from optical coded products and an electronic tag system, the checkout system coupled to an electronic host system, the method comprising the following steps:

detecting a selected operational event of the data reader or the electronic tag system;

electronically selecting a predetermined special optical code data corresponding to the selected operational event that has been detected;

transmitting, using a pre-existing interface of the host system that handles product optical code data, the predetermined special optical code data corresponding to selected operational event of the data reader or electronic tag system, notification of the selected operational event occurring by mimicking a reading operation of a read product optical code by transmitting the selected predetermined special optical code data to the host system, wherein the predetermined special optical code does not identify a product but identifies the selected operational event; and storing the predetermined special optical code data at the host system, wherein the predetermined special optical code data is of a same format of product optical code data able to be processed via the pre-existing interface. --

Replace claim 84 with the following:

-- A method of operation of an electronic checkout system having a point of sale (POS) terminal coupled to an optical code reader and an EAS system, the method comprising:

electronically operating in an automatic activation mode whereby the EAS system is automatically activated in response to a signal from the optical code reader of good read of a product optical code;

operating in a manual activation mode whereby the EAS system is manually activated by action of an operator; electronically detecting a manual activation of the EAS system to deactivate an EAS tag of the product; and

electronically storing an indication of the detected manual activation of the EAS system at the POS terminal or host system,

wherein said detecting step occurs in the EAS system and further comprising transmitting an indication of the detected manual activation of the EAS system to the POS terminal or host system using a pre-existing interface of the POS terminal or host system that is operative to handle product optical code data,

wherein the step of transmitting an indication of the detected manual activation of the EAS system to the POS terminal or host system comprises (a) selecting a predetermined special optical code data corresponding to the detected manual activation, wherein the predetermined special optical code data is distinguishable by the POS terminal or host system from a product optical code data and is distinguished from an automatic deactivation optical code data, and (b) transmitting, by mimicking a reading operation of a read product optical code, the predetermined special optical code data from the optical code reader to the POS terminal or host system, wherein the predetermined special optical code data is of a same format as product optical code data and is able to be processed via the pre-existing interface.—

***Allowable Subject Matter***

2. Claims 55-57, 60-62, and 67-86 are allowed.
3. The following is an examiner's statement of reasons for allowance: The prior art of record failed to teach the limitations of the independent claims, including at least the limitations of transmitting and mimicking using a pre-existing interface, of the special optical code data as

indicative of an event as claimed, where the format of the special optical code data is the same format as product optical code data, but distinguishable/different from product optical code data

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (See PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL WALSH whose telephone number is (571)272-2409. The examiner can normally be reached on M-F 9am-7pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Paik can be reached on 571-272-2404. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/DANIEL WALSH/  
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